

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

ALONZO KNOWLES,

Defendant.

16 Cr. 5 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

The Court has received the attached letter from Joseph V. DeMarco, the court-appointed receiver in this case, reporting his conclusion that the laptop computer he reviewed is the one containing the materials at issue in this case. The Court directs counsel to submit a joint letter by the close of business, **Tuesday, November 22, 2016**, addressing (1) whether the Court may now authorize Mr. DeMarco, as he proposes to do, to destroy the laptop and any copies of the materials from it that are in the possession of him or the personnel with whom he worked; and (2) whether the Court may now set a firm sentencing date for Mr. Knowles.

SO ORDERED.



Paul A. Engelmayer  
United States District Judge

Dated: November 18, 2016  
New York, New York



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November 18, 2016

Via Electronic Mail

Honorable Paul A. Engelmayer  
United States District Judge  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

*United States v. Alonzo Knowles, 16 Cr. 00005 (PAE)*

Dear Judge Engelmayer,

Pursuant to the Order of the Court dated September 30, 2016 (the "Appointment Order"), I and Retained Personnel as defined in the Appointment Order have conducted a review of the laptop computer (the "Laptop") which was provided to me by counsel for the Defendant in the above-captioned matter in order to determine whether (i) the Laptop's appearance and contents were consistent with the laptop computer that can be seen in the Defendant's video conference calls with the undercover agent in this case, and (ii) the Laptop contains "Stolen Material," as the term is defined in the Consent Preliminary Order of Forfeiture as to Specific Property/Money Judgment (the "Consent Order"). Having completed that review, I have determined that it is highly likely, if not certain, that the Laptop is the device seen in the video conference calls and that it does contain Stolen Material. Pursuant to the directions embodied in the Consent Order (paragraph 17), upon the Court's approval, I am prepared to have the Laptop and data contained therein destroyed.

**I. Methodology**

The methodology used to make my determinations was as follows:

- (1) Technology investigators, acting as Retained Personnel at my direction, photographed the Laptop and created a forensically-sound copy of the contents of the Laptop's hard drive;
- (2) I viewed a recording of the Facetime video conference between the undercover agent and the Defendant, in which a laptop computer can be briefly seen, and compared the device shown in that recorded video conference to the Laptop;
- (3) I reviewed the imaged contents of the Laptop's contents to determine if copies of Stolen Material, as provided to me by the Government, were present.



## **II. Analysis and Conclusions**

The Laptop is a black HP Compaq laptop computer in noticeably damaged condition. Among the indicia of damage to the Laptop is a length of exposed wiring running along the hinge between the body of the Laptop and the screen. A second distinguishing feature of the Laptop is the white power button, which is located above the "F2" key on the keyboard. The recording of the Facetime video conference between the Defendant and the undercover agent briefly depict both of the above-identified features of the Laptop.

A review of the files stored in a user account identified by counsel on the image of the Laptop's hard drive revealed that the Laptop contained a substantial amount of Stolen Material.<sup>[1]</sup> Contained in sub-folders in that user account were examples of each of the categories of Stolen Material provided to me by the Government. Specifically, I was able to locate and confirm the identity of (i) PDF files containing scripts for television programming; (ii) a text file containing contact information for a number of celebrities; (iii) copyrighted music; (iv) documents containing personal identifying information of certain athletes; and (v) sexually explicit material. In each case, I was able to observe that one or more such files found on the Laptop were substantially identical to the files provided to me by the Government.

Given the apparent physical similarity between the device depicted in the recorded Facetime conversation and the Laptop and the certain presence of Stolen Material on the Laptop, I have confirmed that it is highly likely if not certain that the Laptop is the device seen in the video conference calls and that it certainly contains Stolen Material.

## **III. Conclusion**

Upon the Court's review of the above information and its approval, I am prepared to direct Retained Personnel acting under my supervision to (i) delete any and all copies of data obtained from the Laptop in their possession, (ii) physically destroy the laptop in a manner which renders the data stored thereon to be permanently and irrevocably inaccessible, and (iii) provide written confirmation to me as to that destruction.

Respectfully,

A handwritten signature in black ink, appearing to read "J. DeMarco", with a long, sweeping horizontal line extending to the right.

Joseph V. DeMarco

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<sup>[1]</sup> Retained Personnel acting at my direction searched the user account and folders identified by counsel. Although the folders in which Stolen Material was located differed from those which were suggested, the user account and password provided by counsel were correct.